

FILED

JAN 11 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No.: CR 07 - MJ - 70720

Plaintiff,)

v.)

LARRY EUGENE MONK,)

Defendant.)

[PROPOSED] STIPULATION AND
ORDER EXCLUDING TIME

The above captioned matter came before the Court on December 13, 2007 for status as to the transfer of this case from the Western District of Texas to the Northern District of California.

The parties agreed to continue the case until the next appearance then set for December 20, 2007.

The parties stipulated to the exclusion of time until December 20, 2007 to which the Court approved. (Doc 6.) Thereafter the parties continued to discuss in conjunction with the United States Attorney's office in the Western District of Texas, where the case originates, a possible Rule 20 transfer. The parties agreed to postpone the December 20, 2007 status conference until January 11, 2008.

In light of the ongoing negotiations concerning the possible Rule 20 transfer, the parties stipulate to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §3161(b), from December 20, 2007 to and including January 11, 2008. During the intervening time, the parties have negotiated successfully a plea agreement satisfactory to all parties involved and are awaiting the transfer of the Clerk's file to the Northern District of California. The exclusion of time is

STIPULATION, AND ORDER EXCLUDING TIME
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1 therefore appropriate under 18 U.S.C. §3161(h)(1)(G).

2 The parties further agree that the ends of justice served by excluding time from December
3 20, 2007 to January 11, 2008 outweigh the interest of the public and the defendant in a speedy
4 trial within the meaning of 18 U.S.C. § 3161(h)(A).

5 3. Accordingly, the parties ask the Court to order that the period from December 20, 2007 to
6 January 11, 2008 be excluded from Speedy Trial Act calculations under 18 U.S.C. §§
7 3161(h)(8)(A) & (h)(1)(G).

8 IT IS SO STIPULATED:

9 Dated: January 10, 2008

10 _____ /s/
11 ANN C. MOORMAN
Counsel for Larry Eugene Monk

12 Dated: January 10, 2008

13 _____ /s/
14 ALBERT B. SAMBAT
Special Assistant United States Attorney

15 IT IS SO ORDERED.

16 DATED: 1/10/08

17 
18 THE HONORABLE ELIZABETH LAPORTE
United States District Court Magistrate Judge